

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Matthew J. Everett et al.

Application No.: NEW

Filed: HEREWITH

For: SIMPLE HIGH EFFICIENCY OPTICAL  
COHERENCE DOMAIN REFLECTOMETER  
DOMAIN

Group Art Unit: Unknown

Examiner: Unknown

**INFORMATION DISCLOSURE  
STATEMENT**121 Spear Street, Suite 290  
San Francisco, CA 94105  
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M/S PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant(s) submit(s) herewith patents, publications or other information [attached hereto and listed on the attached Form PTO-1449 (modified)] of which they are aware, which they believe(s) may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement:

- (a) ☒ accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.
- (c) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits, or before a first office action after filing a Request for Continued Examination under §1.114.
- (d) ☐ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a

Atty Docket No.: ZEIS-500

notice of allowance, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below.

- (e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and the Issue Fee has not been paid, and is accompanied by the fee (\$130) set forth in 37 CFR § 1.17(i)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

[If either of boxes (d) or (e) is checked above, the following "certification" under 37 CFR § 1.97(e) may need to be completed.] The undersigned certifies that:

- (f) ☐ Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- (g) ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified).

A copy of the items on PTO-1449 (Modified) is supplied herewith, except as noted below.

Those patent(s) or publication(s) which are marked with an asterisk (\*) in the attached form PTO-1449 (Modified) are not supplied because they are (a) either U.S. Patents and this an application filed after June 30, 2003, or (b) were previously cited by or submitted to the Office in a prior application no. \_\_\_\_\_, filed \_\_\_\_\_ and relied upon in this application for an earlier filing date under 35 U.S.C. § 120.

A concise explanation of relevance of the items listed on form PTO-1449 (Modified) is:

- (k) ☒ not given
- (l) ☐ given for each listed item

- (m) ☐ given for only non-English language listed item(s) [Required]
- (n) ☐ is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references [copy attached].

The Examiner is reminded that a "concise explanation of the relevance" of the submitted items "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.


While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,

STALLMAN & POLLOCK LLP

Dated: March 26, 2004

By:   
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Attorneys for Applicant(s)

<b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>	Docket Number (Optional) <b>ZEIS-500</b>	Application Number <b>NEW</b>
	Applicant(s) <b>Matthew J. Everett et al.</b>	
	Filing Date <b>HEREWITH</b>	Group Art Unit <b>Unknown</b>

### U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	*AA	5,202,745	04/13/1993	Sorin et al.	356	73.1	03/02/1992
	*AB	5,321,501	06/14/1994	Swanson et al.	356	345	04/29/1992
	*AC	5,459,570	10/17/1995	Swanson et al.	356	345	03/16/1993
	*AD	6,111,645	08/29/2000	Tearney et al.	356	354	05/15/1998
	*AE	6,282,011	08/28/2001	Tearney et al.	359	287	06/26/2000
	*AF	6,377,349	04/23/2002	Fercher	356	450	03/30/1999
	*AG	6,385,358	05/07/2002	Everett et al.	385	12	01/07/2000
	*AH	6,657,727	12/02/2003	Izatt et al.	356	450	09/10/1999

### FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

### OTHER DOCUMENTS

*(Including Author, Title, Date, Pertinent Pages, Etc.)*

	AI	J.G. Fujimoto et al., "Optical Coherence Tomography: An Emerging Technology for Biomedical Imaging and Optical Biopsy," <i>Neoplasia</i> , Vol. 2, Nos. 1-2, January-April 2000, pp. 9-25.
	AJ	J.G. Fujimoto, "Optical coherence tomography for ultrahigh resolution <i>in vivo</i> , imaging," <i>Nature Biotechnology</i> , Vol. 21, No. 11, November 2003, pp. 1361-1367.
	AK	D. Huang et al., "Optical Coherence Tomography," <i>Science</i> , Vol. 254, 22 November 1991, pp. coversheet and 1178-1181.
	AL	A.D. Kersey et al., "Polarisation-Insensitive Fibre Optic Michelson Interferometer," <i>Electronics Letters</i> , Vol. 27, No. 6, 14th March 1991, pp. 518-520.
	AM	M. Kobayashi et al., "Polarization-Independent Interferometric Optical-Time-Domain Reflectometer," <i>Journal of Lightwave Technology</i> , Vol. 9, No. 5, May 1991, pp. 623-628.
	AN	A.M. Rollins et al., "Emerging Clinical Applications of Optical Coherence Tomography," <i>Optics &amp; Photonics News</i> , Vol. 13, Issue 4, April 2002, pp. coversheet and 37-41.
	AO	A.M. Rollins et al., "Optimal interferometer designs for optical coherence tomography," <i>Optics Letters</i> , Vol. 24, No. 21, November 1, 1999, pp. 1484-1486.
	AP	J.M. Schmitt, "Optical Coherence Tomography (OCT): A Review," <i>IEEE Journal of Selected Topics in Quantum Electronics</i> , Vol. 5, No. 4, July/August 1999, pp. 1205-1215.
	AQ	E.A. Swanson et al., "Optical Coherence Tomography Principles, Instrumentation, and Biological Applications," <i>Biomedical Optical Instrumentation of Laser-Assisted Biotechnology</i> , A.M. Verga Scheggi et al. (eds.), 1996 Kluwer Academic Publishers, printed in the Netherlands, pp. 291-303.
	AR	A.B. Vakhtin et al., "Differential spectral interferometry: an imaging technique for biomedical applications," <i>Optics Letters</i> , Vol. 28, No. 15, August 1, 2003, pp. 1332-1334.
	AS	R.C. Youngquist et al., "Optical coherence-domain reflectometry: a new optical evaluation technique," <i>Optics Letters</i> , Vol. 12, No. 3, March 1987, pp. 158-160.

Examiner	Date Considered
<b>Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</b>	